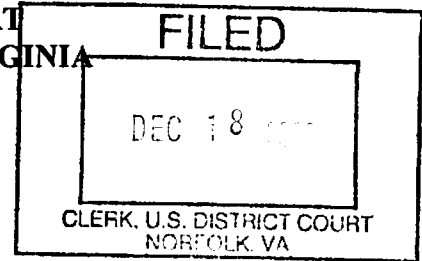


**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division**



NEGASH MALEDE, #13051-007,

Petitioner,

v.

ACTION NO. 2:09cv305

PATRICIA STANSBERRY, Warden,

Respondent.

**FINAL ORDER**

Petitioner, a District of Columbia inmate housed in the Federal Correctional Institution in Petersburg, Virginia, submitted a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 seeking a new hearing before the United States Parole Commission. The matter was referred to a United States Magistrate Judge pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C) and Rule 72 of the Rules of the United States District Court for the Eastern District of Virginia for report and recommendation.


On October 26, 2009, Petitioner filed a Motion to Voluntarily Dismiss his petition. [Doc. No. 9]. In his motion, Petitioner stated that the Parole Commission granted his request for a rehearing. Because the Parole Commission resolved the only issue addressed in Petitioner's petition, the Report and Recommendation of the Magistrate Judge filed on November 25, 2009 recommended dismissing both the petition for a writ of habeas corpus and respondent's Motion for Summary Judgment as moot. By copy of the report, each party was advised of his right to file written objections to the

findings and recommendations made by the Magistrate Judge.<sup>1</sup> The Court has received no objections to the United States Magistrate Judge's Report and Recommendation and the time for filing has expired.

The Court does hereby accept the findings and recommendations set forth in the report of the United States Magistrate Judge filed November 25, 2009, and it is therefore ORDERED that the petition be DENIED and DISMISSED with prejudice. Furthermore, it is ORDERED that the respondent's Motion for Summary Judgment be DISMISSED as moot.

Petitioner may appeal from the judgment entered pursuant to this Final Order by filing a written notice of appeal with the Clerk of this court, United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510, within 60 days from the date of entry of such judgment.

The Clerk shall mail a copy of this Final Order to Petitioner and to counsel of record for Respondent.

  
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/s/ Jerome B. Friedman  
\_\_\_\_\_  
United States District Judge  
UNITED STATES DISTRICT JUDGE

Norfolk, Virginia  
December 8, 2009

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<sup>1</sup> Petitioner was also advised that if he was not awarded a rehearing before the Parole Commission by December 4, 2009, he may re-file his § 2241 petition in this court.